S.B. Civil Writ Petition NO.2331/2002
Manphool Singh & Ors
vs
State of Rajasthan & Ors.

DATE OF ORDER : - 25.4.2005.

HON'BLE MR. PRAKASH TATIA,J.

Mr.Sanjeev Sharma, for the petitioner.
Mr.HSS Kharila]
Mr.JR Choudhary], for the respondents.
Mr.LR Upadhyay, Dy.GA, for the State

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Heard learned counsel for the parties.

The petitioner has sought relief by filing the writ petition that the order passed by the Superintending Engineer dated 4th May, 2001 (Annex.4) (wrongly mentioned in the writ petition as Annex.1) may be quashed and the order of the Executive Engineer dated 18.10.2001 may be restored, affirmed and confirmed. This Court while issuing notice to the respondents passed the interim order that meanwhile, land of the petitioner shall not be transferred from Chak 31STG to newly formed Chak 31STG-B and further for the remaining land coming in the newly formed Chak 31STG-B, the respondents may proceed further according to the law.

The respondents have filed reply to the writ petition and pointed out that the order of the Superintending Engineer has already been implemented vide order dated 7th May, 2002 and that order has not been

challenged by the petitioner. It is also pointed out that stay order was granted by this Court only four months after the implementation of the order and the petitioner has not sought any relief for restoration of the position, which was existing prior to the order dated 7th May, 2002 (Annex.R/16).

In view of the above, since the order itself has been executed long back in the year 2002 and no relief has been sought by the petitioner for restoring the position back, which was carried out by the order dated 7th May, 2002 (Annex.R/16), I do not find any merit in the writ petition.

Hence, the writ petition of the petitioner is dismissed.

(Prakash Tatia), J.

c.p.goyal/-